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<b>To:</b>	Examiner – Zachary A. Davis	<b>From:</b>	Alexander J. Burke
<b>Fax:</b>	703-872-9306	<b>Pages:</b>	25
<b>Phone:</b>	571-272-3870	<b>Date:</b>	June 15, 2005
<b>Re:</b>	Serial No. 09/817,324 Art Unit 2137	<b>CC:</b>	

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PLEASE CALL: Christine Briscoe at 732-321-3018

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Attached is the following:

**Request for Continued Examination (in duplicate) Fee Transmittal (in duplicate) Amendment Accompanying Request for Continued Examination 20 pages**

For Application No.: 09/817,324  
 Filing Date: March 26, 2001  
 First Named Inventor: B. Royer  
 Group Art Unit: 2137  
 Attorney Docket: 2001P04786US

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to fax No. 703-872-9306 in accordance with 37 CFR 1.8

*Alexander J. Burke* *15 June 2005*  
 Alexander J. Burke Date

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Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
A collection of information unless it contains a valid OMB control number.

**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<i>Application Number</i>	09/817,324
<i>Filing Date</i>	MARCH 26, 2001
<i>First Named Inventor</i>	BARRY LYNN ROYER
<i>Art Unit</i>	2137
<i>Examiner Name</i>	ZACHARY A DAVIS
<i>Attorney Docket Number</i>	2001P04786US

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/ Declaration(s)      iv.  Other

## 2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

**The Director is hereby authorized to charge the following fees, or credit any overpayments, to**

a.  Deposit Account No. 19-2179

- i.  RCE fee required under 37 CFR 1.17(e)
- ii.  Extension of time fee (37 CFR 1.130 and 1.17)
- iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)

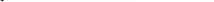
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	ALEXANDER J BURKE	Registration No. (Attorney/Agent)	40,425
Signature		Date	JUNE 15, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	ALEXANDER J BURKE	
Signature		Date JUNE 15, 2006

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/30 (09-03)

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<i>First Named Inventor</i>	BARRY LYNN ROYER
<i>Art Unit</i>	2137
<i>Examiner Name</i>	ZACHARY A DAVIS
<i>Attorney Docket Number</i>	2001P04786US

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i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

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ii.  Affidavit(s)/ Declaration(s)      iv.  Other \_\_\_\_\_

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a.  Other \_\_\_\_\_

3. **Fees**

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The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-2179

a.  RCE fee required under 37 CFR 1.17(e)

i.  Extension of time fee (37 CFR 1.136 and 1.17)

ii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	ALEXANDER J BURKE/	Registration No. (Attorney/Agent)	40,425
Signature		Date	LINE 15, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print/Type)	ALEXANDER J BURKE	11	
Signature			Date: JUNE 15 2005

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/16/2005 HVUONG1 00000047 192179 09817324  
01 SEP 19A1 790.00 00

PAGE 2/25 \* RCVD AT 6/15/2005 2:12:10 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-1/4 \* DNX:8729306 \* CSID:1-732-321-3030 \* DURATION (mm:ss):07-50

Void date: 06/16/2005 HVUDNG1  
06/16/2005 HVUDNG1 00000047 192179  
01 FC:1801 790.00 CR

PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)  
200.00

Complete If Known	
Application Number	09/817,324
Filing Date	March 26, 2001
First Named Inventor	Barry Lynn Royer
Examiner Name	Zachary A. Davis
Art Unit	2137
Attorney Docket No.	2001P04786US

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 19-2179 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

## Small Entity

Fee (\$)

Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

## Multiple Dependent Claims

## Fee (\$)

Fee (\$)

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

23 - 20 or HP = 23 x = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

6 - 3 or HP = 1 x 200 = 200

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

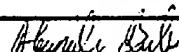
\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): \_\_\_\_\_

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	40,425 Telephone 732-321-3023
Name (Print/Type)	Alexander J. Burke	Date	June 15, 2005

This collection of information is required by 37 CFR 1.130. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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